

77HN

Raul Perez
Petitioner(s),
-vs-
United States of America

Respondent(s).

08CV1141
JUDGE ZAGEL
MAG.JUDGE COX

Ca

(To be supplied by the Clerk)

FILED

FEB 25 2008

2-25-2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

**MOTION AND AFFIDAVIT IN SUPPORT OF REQUEST
TO PROCEED IN FORMA PAUPERIS**

I, Raul Perez, being first duly sworn, depose and say that I am the plaintiff/petitioner in the above entitled cause; that in support of my request to proceed without being required to prepay fees, costs or give security therefor, I state that because of my poverty, I am unable to pay the costs of said proceeding or to give security therefor, and that I believe I am entitled to relief.

The nature of the action is:

() Civil Rights (X) Habeas Corpus () Appeal

1. Are you presently employed? Yes (X) No ()

a. If the answer is "yes", state the amount of your salary or wages per month, and give the name and address of your employer.

Please see attached six month account statement

b. If the answer is "no", state the date of last employment and the amount of salary or wages per month which you received.

2. Have you received within the past twelve months any money from any of the following sources?

- | | | |
|---|---------|--------|
| a. Business, profession or form of self-employment? | Yes () | No () |
| b. Rent payments, interest or dividends? | Yes () | No () |
| c. Pensions, annuities or life insurance payments? | Yes () | No () |
| d. Gifts or inheritances? | Yes () | No () |
| e. Any other sources? | Yes () | No () |

If the answer to any of the above is "yes", describe each source of money and state the amount received during the past twelve months.

Please see attached account statement

3. Do you own cash, or do you have money in a checking or savings account?
 Yes () No (X) (include any funds in prison accounts). If the answer is "yes", state the total value of the items owned.

4. Do you own any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)? Yes () No (X) If the answer is "yes", describe the property and state its approximate value.

5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

NA

DECLARATION UNDER PENALTY OF PERJURY

I declare (or certify, verify or state) under penalty of perjury, that I am the plaintiff/petitioner in the above action, that I have read the foregoing Motion and Affidavit and that the information contained therein is true and correct. 28 U.S.C. §1746; 18 U.S.C. §1621

February 21, 2008
 Date


 Signature of Plaintiff/Petitioner

CERTIFICATE**(THIS SECTION FOR COMPLETION BY THE PLAINTIFF/PETITIONER)**Name of Plaintiff/Petitioner: Raul PerezInstitution where confined: FCI GreenvilleRegister number: 60397-080

(Instructions: This section is for completion by an authorized officer of the above-named institution only. The plaintiff/petitioner may not write below this line. Please complete the following certificate for the plaintiff/petitioner named and described above. If the plaintiff/petitioner is confined in the Illinois Department of Corrections, you are further requested to attach a print-out of all transactions for this person's account for the past six months.)

I hereby certify that Raul Perez currently has the sum
(Name of plaintiff/petitioner)

\$ _____ on account to his credit at FCI Greenville
(Institution where confined)

In the first calendar month immediately preceding the date
of this certificate, plaintiff/petitioner had a maximum balance of

\$ _____

and a minimum balance of

\$ _____

In the second calendar month, had a maximum balance of

\$ _____

and a minimum balance of

\$ _____

In the third calendar month, had a maximum balance of

\$ _____

and a minimum balance of

\$ _____

I certify that the plaintiff/petitioner likewise has the following securities to his credit according
to the records of the institution.

DATED: February 21, 2008

Signature of Authorized Officer
of the above Institution

NOTE: My housing unit counselor would not complete this form
but instead, provided me with a six month printout of
my inmate account. Please see attached.



Raul Perez pro se

Inmate Statement

Inmate Reg #: 60397080 **Current Institution:** Greenville FCI
Inmate Name: PEREZ, RAUL **Housing Unit:** GRE-C-A
Report Date: 02/17/2008 **Living Quarters:** C03-230L
Report Time: 12:59:16 PM

<u>Alpha Code</u>	<u>Date/Time</u>	<u>Reference#</u>	<u>Payment#</u>	<u>Receipt#</u>	<u>Transaction Type</u>	<u>Transaction Amount</u>	<u>Encumbrance Amount</u>	<u>Ending Balance</u>
GRE	2/14/2008 4:29:35 PM	TFN0214			Phone Withdrawal	(\$1.00)		\$112.06
GRE	2/13/2008 4:24:00 PM	TFN0213			Phone Withdrawal	(\$2.00)		\$113.06
GRE	2/12/2008 7:07:43 PM	TFN0212			Phone Withdrawal	(\$2.00)		\$115.06
GRE	2/12/2008 1:07:08 PM	33309708			Western Union	\$50.00		\$117.06
GRE	2/11/2008 8:48:27 PM	TFN0211			Phone Withdrawal	(\$1.00)		\$67.06
GRE	2/11/2008 5:42:55 PM	119			Sales	(\$102.35)		\$68.06
GRE	2/9/2008 5:48:21 PM	TFN0209			Phone Withdrawal	(\$2.00)		\$170.41
GRE	2/8/2008 4:26:33 PM	TFN0208			Phone Withdrawal	(\$5.00)		\$172.41
GRE	2/8/2008 9:36:57 AM	HIS2018			Payroll - UNICOR	\$121.26		\$238.04
GRE	2/8/2008 9:36:57 AM	HIS2020			FRP Unicorn Pymt	(\$60.63)		\$177.41
GRE	2/6/2008 8:08:27 PM	33309308			Western Union	\$50.00		\$116.78
GRE	1/29/2008 5:31:15 PM	75			Sales	(\$15.60)		\$66.78
GRE	1/29/2008 3:40:12 PM	TFN0129			Phone Withdrawal	(\$2.00)		\$82.38
GRE	1/27/2008 7:28:24 PM	TFN0127			Phone Withdrawal	(\$2.00)		\$84.38
GRE	1/22/2008 5:12:20 PM	TFN0122			Phone Withdrawal	(\$2.00)		\$86.38
GRE	1/22/2008 8:18:47 AM	745			SPO	(\$66.30)		-----
GRE	1/21/2008 6:48:23 PM	TFN0121			Phone Withdrawal	(\$2.00)		\$88.38
GRE	1/19/2008 2:27:31 PM	TFN0119			Phone Withdrawal	(\$8.00)		\$90.38
GRE	1/19/2008 11:11:04 AM	TFN0119			Phone Withdrawal	(\$2.00)		\$98.38
GRE	1/16/2008 8:07:57 PM	33307808			Western Union	\$100.00		\$100.38
GRE	1/9/2008 4:59:26 PM	69			Sales	(\$62.08)		\$0.38
GRE	1/9/2008 4:26:33 PM	TFN0109			Phone Withdrawal	(\$2.00)		\$62.46
GRE	1/7/2008 8:15:34 PM	TFN0107			Phone Withdrawal	(\$2.00)		\$64.46
GRE	1/4/2008 2:20:55 PM	HIS2016			Payroll - UNICOR	\$94.87		\$113.89
GRE	1/4/2008 2:20:55 PM	HIS2017			FRP Unicorn Pymt	(\$47.43)		\$66.46
GRE	1/3/2008 8:06:39 PM	TFN0103			Phone Withdrawal	(\$2.00)		\$19.02
GRE	1/3/2008 5:25:58 PM	108			Sales	(\$35.05)		\$21.02
GRE	1/2/2008 4:35:55 PM	TFN0102			Phone Withdrawal	(\$2.00)		\$56.07
GRE	12/30/2007 7:05:20 PM	33306608			Western Union	\$50.00		\$58.07
GRE	12/29/2007 9:50:41 AM	TFN1229			Phone Withdrawal	(\$1.00)		\$8.07
GRE	12/27/2007 5:24:03 PM	151			Sales	(\$90.80)		\$9.07
GRE	12/25/2007 9:35:33 PM	TFN1225			Phone Withdrawal	(\$2.00)		\$99.87
GRE	12/25/2007 10:39:11 AM	TFN1225			Phone Withdrawal	(\$2.00)		\$101.87

GRE	12/20/2007 3:07:16 PM	33305908	Western Union	\$100.00	\$103.87
GRE	12/18/2007 6:04:38 PM	136	Sales	(\$1.90)	\$3.87
GRE	12/18/2007 6:03:03 PM	135	Sales	(\$50.20)	\$5.77
GRE	12/18/2007 4:31:05 PM	TFN1218	Phone Withdrawal	(\$4.00)	\$55.97
GRE	12/18/2007 12:07:41 PM	33305708	Western Union	\$50.00	\$59.97
GRE	12/17/2007 9:05:25 PM	TFN1217	Phone Withdrawal	(\$1.00)	\$9.97
GRE	12/16/2007 6:40:12 PM	TFN1216	Phone Withdrawal	(\$2.00)	\$10.97
GRF	12/12/2007 9:12:29 PM	TFN1212	Phone Withdrawal	(\$2.00)	\$12.97
GRE	12/10/2007 11:28:32 AM	46	Sales	(\$61.20)	\$14.97
GRE	12/9/2007 10:36:39 AM	TFN1209	Phone Withdrawal	(\$2.00)	\$76.17
GRE	12/8/2007 2:43:11 PM	TFN1208	Phone Withdrawal	(\$2.00)	\$78.17
GRE	12/7/2007 7:52:55 AM	HIS2013	Payroll - UNICOR	\$113.67	\$137.00
GRB	12/7/2007 7:52:55 AM	HIS2014	FRP Unicorn Pymt	(\$56.83)	\$80.17
GRE	12/4/2007 8:09:13 PM	TFN1204	Phone Withdrawal	(\$2.00)	\$23.33
GRE	12/3/2007 9:51:06 PM	TFN1203	Phone Withdrawal	(\$2.00)	\$25.33
GRE	11/27/2007 5:25:50 PM	73	Sales	(\$30.65)	\$27.33
GRE	11/26/2007 1:06:58 PM	33304108	Western Union	\$50.00	\$57.98

1 2 3 4

Total Transactions: 174

Totals: \$61.09 (\$66.30)

Current Balances

<u>Alpha Code</u>	<u>Available Balance</u>	<u>Pre-Release Balance</u>	<u>Debt Encumbrance</u>	<u>SPO Encumbrance</u>	<u>Other Encumbrances</u>	<u>Outstanding Instruments</u>	<u>Administrative Holds</u>	<u>Account Balance</u>
GRE	\$45.76	\$0.00	\$0.00	\$66.30	\$0.00	\$0.00	\$0.00	\$112.06
Totals:	\$45.76	\$0.00	\$0.00	\$66.30	\$0.00	\$0.00	\$0.00	\$112.06

Other Balances

<u>National 6 Months Deposits</u>	<u>National 6 Months Withdrawals</u>	<u>National 6 Months Avg Daily Balance</u>	<u>Local Max Balance - Prev 30 Days</u>	<u>Average Balance - Prev 30 Days</u>	<u>Commissary Restriction Start Date</u>	<u>Commissary Restriction End Date</u>
\$1,998.93	\$1,997.73	\$115.47	\$238.04	\$95.94	N/A	N/A

Inmate Statement

Inmate Reg #:	603970SO	Current Institution:	Greenville FCI
Inmate Name:	PEREZ, RAUL	Housing Unit:	GRE-C-A
Report Date:	02/17/2008	Living Quarters:	C03-230L
Report Time:	12:59:27 PM		
Alpha Code	Date/Time	Reference#	Payment#
GRE	11/22/2007 1:08:50 PM	TFN1122	Receipt#
			Transaction Type
			Phone Withdrawal
			Amount
			(\$5.00)
			Ending Balance
			\$7.98
GRE	11/22/2007 8:37:54 AM	TFN1122	
			Phone Withdrawal
			Amount
			(\$2.00)
			Ending Balance
GRE	11/14/2007 5:07:19 PM	91	Sales
			Amount
			(\$44.90)
			Ending Balance
GRE	11/14/2007 4:20:57 PM	TFN1114	Phone Withdrawal
			Amount
			(\$2.00)
			Ending Balance
GRE	11/13/2007 1:07:37 PM	33303208	Western Union
			Amount
			\$50.00
			Ending Balance
GRE	11/12/2007 5:45:50 PM	TFN1112	Phone Withdrawal
			Amount
			(\$3.00)
			Ending Balance
GRE	11/12/2007 4:32:00 PM	TFN1112	Phone Withdrawal
			Amount
			(\$1.00)
			Ending Balance
GRE	11/10/2007 4:50:27 PM	TFN1110	Phone Withdrawal
			Amount
			(\$4.00)
			Ending Balance
GRE	11/8/2007 5:29:38 PM	106	Sales
			Amount
			(\$56.10)
			Ending Balance
GRE	11/6/2007 2:29:25 PM	HICP1107	Inmate Co-pay
			Amount
			(\$2.00)
			Ending Balance
GRE	11/4/2007 3:10:08 PM	TFN1104	Phone Withdrawal
			Amount
			(\$2.00)
			Ending Balance
GRE	11/3/2007 9:00:15 AM	TFN1103	Phone Withdrawal
			Amount
			(\$2.00)
			Ending Balance
GRE	11/2/2007 2:30:18 PM	HIS2001	Payroll - UNICOR
			Amount
			\$126.10
			Ending Balance
GRE	11/2/2007 2:30:18 PM	HIS2004	FRP Unicorn Pymt
			Amount
			(\$63.05)
			Ending Balance
GRE	11/1/2007 6:09:01 PM	89	Sales
			Amount
			(\$76.20)
			Ending Balance
GRE	10/28/2007 9:35:47 PM	TFN1028	Phone Withdrawal
			Amount
			(\$2.00)
			Ending Balance
GRE	10/28/2007 4:51:02 PM	TFN1028	Phone Withdrawal
			Amount
			(\$2.00)
			Ending Balance
GRE	10/27/2007 8:44:02 AM	TFN1027	Phone Withdrawal
			Amount
			(\$2.00)
			Ending Balance
GRE	10/25/2007 3:07:32 PM	33301908	Western Union
			Amount
			\$100.00
			Ending Balance
GRE	10/22/2007 5:28:11 PM	82	Sales
			Amount
			(\$46.20)
			Ending Balance
GRE	10/22/2007 4:59:01 PM	TFN1022	Phone Withdrawal
			Amount
			(\$3.00)
			Ending Balance
GRE	10/16/2007 3:05:47 PM	33301208	Western Union
			Amount
			\$50.00
			Ending Balance
GRE	10/10/2007 5:30:46 PM	125	Sales
			Amount
			(\$193.55)
			Ending Balance
GRE	10/10/2007 12:11:18 AM		Gift
			Amount
			\$0.00
			Ending Balance
GRE	10/5/2007 8:17:45 AM	HIS2006	Payroll - UNICOR
			Amount
			\$106.43
			Ending Balance
GRE	10/5/2007 8:17:45 AM	HIS2007	FRP Unicorn Pymt
			Amount
			(\$53.21)
			Ending Balance
GRE	10/4/2007 9:36:48 PM	TFN1004	Phone Withdrawal
			Amount
			(\$25.00)
			Ending Balance
GRE	10/4/2007 7:22:41 AM	TFN1004	Phone Withdrawal
			Amount
			(\$2.00)
			Ending Balance
GRE	10/3/2007 7:16:28 PM	33300308	Western Union
			Amount
			\$100.00
			Ending Balance
GRE	10/3/2007 6:35:21 PM	TFN1003	Phone Withdrawal
			Amount
			(\$2.00)
			Ending Balance
GRE	10/3/2007 4:41:24 PM	TFN1003	Phone Withdrawal
			Amount
			(\$1.00)
			Ending Balance
GRE	10/2/2007 5:13:33 PM	76	Sales
			Amount
			(\$103.20)
			Ending Balance
GRE	10/2/2007 4:33:22 PM	TPN1002	Phone Withdrawal
			Amount
			(\$2.00)
			Ending Balance

GRE	9/25/2007 6:52:39 PM	TPN0925	Phone Withdrawal	(\$10.00)	\$175.86
GRE	9/24/2007 4:07:16 PM	33325607	Western Union	\$100.00	\$185.86
GRE	9/23/2007 4:27:50 PM	TFN0923	Phone Withdrawal	(\$8.00)	\$85.86
GRE	9/23/2007 10:55:36 AM	TFN0923	Phone Withdrawal	(\$2.00)	\$93.86
GRE	9/20/2007 8:42:26 PM	TPN0920	Phone Withdrawal	(\$2.00)	\$95.86
GRE	9/20/2007 4:32:02 PM	TFN0920	Phone Withdrawal	(\$2.00)	\$97.86
GRE	9/19/2007 11:07:46 AM	35	Sales	(\$23.50)	\$99.86
GRE	9/13/2007 6:51:29 PM	TPN0913	Phone Withdrawal	(\$2.00)	\$123.36
GRE	9/12/2007 7:40:43 PM	TFN0912	Phone Withdrawal	(\$3.00)	\$125.36
GRE	9/12/2007 11:12:53 AM	34	Sales	(\$7.80)	\$128.36
GRE	9/12/2007 11:00:21 AM	29	Sales	(\$32.10)	\$136.16
GRE	9/10/2007 4:42:08 PM	TFN0910	Phone Withdrawal	(\$2.00)	\$168.26
GRE	9/10/2007 12:11:13 AM	3054	Gift	(\$200.00)	\$170.26
GRE	9/9/2007 9:38:59 PM	TFN0909	Phone Withdrawal	(\$3.00)	\$370.26
GRE	9/8/2007 11:51:06 AM	TFN0908	Phone Withdrawal	(\$3.00)	\$373.26
GRE	9/7/2007 9:59:01 AM	GIS2052	Payroll - UNICOR	\$86.60	\$419.56
GRE	9/7/2007 9:59:01 AM	GIS2057	FRP Unicorn Pymt	(\$43.30)	\$376.26

1 2 3 4

Total Transactions: 174

Totals: \$61.09 (\$66.30)

Current Balances

Alpha Code	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
GRE	\$45.76	\$0.00	\$0.00	\$66.30	\$0.00	\$0.00	\$0.00	\$112.06
Totals:	\$45.76	\$0.00	\$0.00	\$66.30	\$0.00	\$0.00	\$0.00	\$112.06

Other Balances

National 6 Months Deposits	National 6 Months Withdrawals	National 6 Months Avg Daily Balance	Local Max Balance - Prev 30 Days	Average Balance - Prev 30 Days	Commissary Restriction Start Date	Commissary Restriction End Date
\$0.00	\$0.00	\$0.00	50.00	\$0.00		